

BIRCHWOOD PARK GOLF CLUB

CONSTITUTION

1. DEFINITIONS

- 1.1 The name of the centre shall be Birchwood Park Golf Centre (hereinafter referred to as "the Centre").
- 1.2 The Centre is a proprietary club, the Proprietor being Birchwood Park Golf Centre Limited, Burhill, Burwood Road, Walton-on-Thames, Surrey KT12 4BX, (hereinafter referred to as "the Proprietor").
- 1.3 The body of members as a whole shall constitute Birchwood Park Golf Club (hereinafter referred to as "the Club").

2. OBJECT

The object of the Club shall be the furtherance of golf and associated activities for the betterment and enjoyment of its members.

3. PROPRIETOR

The Proprietor shall provide the Club with the Centre premises for carrying on the club in accordance with its objects and these rules.

4. MANAGEMENT

The general management of the affairs of the Club in all matters shall ultimately be under the entire control of the Proprietor, or the appointed representative of the proprietor.

5. MEMBERSHIP

- 5.1 The Proprietor may offer such categories of membership of the Club with such qualifications, application procedures, fees, conditions and privileges and in such numbers as it may from time to time decide.
- 5.2 Details of current membership categories with any entrance fee and the subscription shall be displayed by the Proprietor within the Centre.
- 5.3 All candidates for membership shall complete an application form. The Proprietor shall have absolute discretion to accept, or reject without reason, any application for membership.
- 5.4 Any member who, having joined in a category with no or lower fees, then transfers to a category with a higher entrance and/or subscription fee, shall pay the difference by way

of a transfer fee. Where a member transfers from a category with a higher entrance and/or subscription fee to one with lower fees, there shall be no refund.

- 5.5 The annual renewal of membership is at the discretion and on the invitation of the Proprietor.
- 5.6 Every member of the club on his/her acceptance as a member, shall be deemed to agree to submit to these rules, and any bylaws and standards published by the Proprietor and to act in accordance therewith.
- 5.7 Every member of the club shall abide by the Rules of the County and English Golf Unions.

6. **SUBSCRIPTION**

- 6.1 Each member shall, according to membership category pay to the Proprietor such annual subscription as the proprietor may from time to time determine.
- 6.2 The Proprietor shall notify each member of the date his/her subscription falls due for renewal, not less than twenty-one days prior to such date.
- 6.3 Any member whose subscription is in arrears shall cease to be a member, unless the Proprietor waives this rule.
- 6.4 Any member who, not having paid his/her subscription by the due date, shall be treated as a non-member in all respects, but on payment of the membership fee together with any late payment levy charged by the Proprietor may be reinstated as a member.

7. **TERMINATION OF MEMBERSHIP**

- 7.1 Membership shall be terminated if:
 - i) A member gives notice to the Proprietor that he/she wishes to resign.
 - ii) A member fails to pay the subscription due (and any late payment levy if appropriate)
 - iii) The Proprietor expels a member for conduct prejudicial to the Club, the Centre or the Proprietor.
- 7.2 No person having ceased to be a member for whatever reason, shall be entitled to have any part of his/her entrance or subscription fee returned.

8. **ANNUAL GENERAL MEETING**

- 8.1 No earlier than the 1st January and not later than 31st March in every year, there shall be held the Annual General Meeting of the Club for the transaction of the following business:
- i) To approve the minutes of the last Annual general Meeting.
 - ii) To receive and approve the annual reports of elected officers of the Club
 - iii) To approve the accounts of the Club
 - iv) To elect members to the following posts:
 - Chairman
 - Secretary
 - Assistant Secretary
 - Treasurer
 - Assistant Treasurer
 - Handicap Secretary
 - Secretary of Competitions Sub-Committee
 - Committee Member
 - v) To appoint the Captain, Lady Captain and Senior's Captain
 - vi) To discuss any proposition relating to the welfare of the club.
- 8.2 The Secretary shall advertise the date, time and venue of the Annual General Meeting not less than twenty-eight days prior to the meeting.
- 8.3 Fifteen members or 5% of the membership, whichever is the greater, shall constitute a quorum. If within thirty minutes after the time appointed for the meeting a quorum is not present, the meeting shall be postponed until such day and time as the Committee shall determine. Not less than seven days notice shall be given of such postponed meeting and the members then present shall constitute a quorum for that meeting
- 8.4 Members to fill the positions of Chairman, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Handicap Secretary, Secretary of Competitions Sub-Committee and a Committee Member shall be elected at the Annual General Meeting in the following manner.
- 8.4.1 Any two members may nominate another member to serve, having previously received the consent of such member. The member nominated must confer with rule 9.3.
- 8.4.2 The nomination must be received by the Proprietor not less than seven days prior to the Meeting. The Proprietor reserves the right to veto on all nominations.
- 8.4.3 Where there is more than one nomination for a position, there shall be a ballot by members.
- 8.4.4 Members unable to attend the Annual General Meeting may request a postal-voting paper provided by the Proprietor for such purposes. The Proprietor must receive a postal-voting paper not less than twenty-four hours prior to the meeting for the paper to be included in any count. Postal-votes shall not be permitted for the post of Committee Member.
- 8.4.5 Should there be an equal number of votes between two or more members, the Chairman of the meeting shall have a second or casting vote.

8.4.6 Where a nominee stands for the post of Secretary and fails to be elected the nominee may subsequently stand for the position of Assistant Secretary and where a nominee stands for any post (other than Committee Member) and fails to be elected, the nominee may subsequently stand for the position of Committee Member.

8.5 The procedure for the conduct of Annual General Meetings shall be determined by the Committee with the prior approval of the Proprietor.

9. **COMMITTEE**

9.1 The functions of the General Committee of the Club (hereinafter referred to as "the Committee") shall be, with the prior approval of the Proprietor

- i) To organise and run competitions, matches and social functions for Club members and their guests.
- ii) To appoint a Handicapping Sub-Committee, Competitions Sub-Committee and such other Sub-Committees as are considered necessary to deal with the affairs of the Club. The Committee shall determine the composition, powers and terms of reference of any Sub-Committee.
- iii) To appoint a Vice-Captain and Senior's Vice-Captain.
- iv) To appoint an auditor.
- v) To consider any suggestions or comments made by members.

9.2 The Committee shall consist of:

Chairman
Secretary
Assistant Secretary
Treasurer
Assistant Treasurer
Handicap Secretary
Secretary of Competitions Sub-Committee
A Committee Member
Captain
Vice-Captain
Immediate Past Captain
Lady Captain
Lady Vice-Captain
Senior's Captain
One nominee of the Proprietor

9.3 No member (other than the nominee of the Proprietor) shall serve more than five consecutive years on the Committee; unless the sixth year is as Captain or Senior's Captain in which case they shall not serve more than six consecutive years. If at the AGM at which a Committee Member retires by rotation, the vacancy is not filled, the retiring Committee Member, if willing to act, may, by exception, be deemed to have been re-appointed for a further year.

9.4 A Committee member elected at an Annual General Meeting shall hold office from the end of that meeting until the end of the next Annual General Meeting, but shall be eligible for re-election, subject to rule 9.3.

- 9.5 If any post becomes vacant between one Annual General Meeting and the next, the Committee may select a member to hold the post for the period of the vacancy. If the Committee are unable to fill the vacancy with a member who confers with rule 9.3, the vacancy may be filled by any member.
- 9.6 The Proprietor may also eo-opt up to three additional persons as ex-officio members of the Committee.
- 9.7 The Committee shall meet as and when required, but not less than six times per annum.
- 9.8 Four members of the Committee shall constitute a quorum.

10. CAPTAINS OF THE CLUB

Prior to an Annual General Meeting, the Committee shall select a member to become Vice-Captain, a member to become Lady Vice-Captain and a member to become Seniors' Vice-Captain. The Proprietor reserves the right of veto on any selection. Such positions shall be held from the end of the forthcoming Annual General Meeting until the end of the next Annual General Meeting, when subject to the approval of the Proprietor, the Vice-Captain shall become Captain, the Lady Vice-Captain shall become Lady Captain and the Senior's Vice-Captain shall become Senior's Captain. The Captain, Lady Captain and Senior's Captain shall hold such posts until the end of the next Annual General Meeting.

11. DISCIPLINE

- 11.1 If in the opinion of the Committee the conduct of any member has been, or may be prejudicial to the interests of the Club, the Centre, or the Proprietor, the Committee shall request to the member to explain his/her conduct. After proper consideration of the facts stated to them, the Committee shall take such action as deemed to be appropriate, subject to the approval of the Proprietor.
- 11.2 Where prejudicial conduct has been established, such action may include a verbal warning of conduct, a letter of censure, a fine, suspension from future events or competitions, or recommendation of expulsion of that member to the Proprietor.

12. GREEN FEES

The Proprietor may charge such rates of green fees as it may from time to time decide. Details of current fees shall be displayed by the Proprietor within the Centre.

13. GOLF RULES AND ETIQUETTE

The rules of play shall be as laid down by the Royal and Ancient Golf Club of St Andrews, and such local rules as may be published by the Proprietor. Members, their guests and visitors shall strictly observe the rule of golf etiquette.

14. GUESTS

Members may introduce and entertain guests at the Centre. The introducing member shall be responsible for his/her guest(s) conduct, payment of any appropriate fees and ensuring they observe the Club rules.

15. LIABILITY

- 15.1 Neither the Proprietor or the Club shall be liable for any loss or damage to person or property of a member, guest or visitor, howsoever caused.
- 15.2 The Proprietor accepts no responsibility for supervising children in the Centre or on the Course.
- 15.3 The responsibility for any damage to property by any child on the Club premises shall lie with the child's parent or guardian.

16. BYLAWS

The Proprietor may display within the Centre, and in any other form of written communication, such Bylaws or 'Club Standards' as may from time to time be found desirable for the regulation of play, conduct, dress and usage on the courses and in the Clubhouse, and these standards shall be binding on all members, guests and visitors.

17. ALTERATION OF RULES

The Proprietor may revoke, supplement or alter the above Constitution by displaying within the Centre such proposed amendments not less than twenty-eight days prior to the date they shall take effect.

March 2005